

STATE OF MAINE
Department of Health and Human Services
Office of Substance Abuse and Mental Health Services

RFP # 201508144

PRESCRIPTION MONITORING PROGRAM

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From the time this RFP is issued until award notification is made, all contact with the State regarding this RFP must be made through the aforementioned RFP Coordinator. No other person / State employee is empowered to make binding statements regarding this RFP. Violation of this provision may lead to disqualification from the bidding process, at the State's discretion.

Deadline for Submitted Questions: September 10, 2015, 5:00 p.m. local time

Proposals Due: October 1, 2015 not later than 2:00 p.m. local time

Submit to:

Division of Purchases
Burton M. Cross Building, 111 Sewall Street, 4th Floor
9 State House Station, Augusta ME 04333-0009

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Public Notice

State of Maine
Department of Health and Human Services
Public Notice for RFP # 201508144
Prescription Monitoring Program

The State of Maine, Department of Health and Human Services, Office of Substance Abuse and Mental Health Services (SAMHS), has a requirement for a Prescription Monitoring Program (PMP) web based data management system. In accordance with State procurement practices, the Department is hereby announcing the publication of a Request for Proposals (RFP) #201508144 for the purchase of the aforementioned services.

A copy of the RFP can be obtained by registering and downloading at the following website: <http://www.maine.gov/dhhs/rfp/index.shtml> or by contacting the Department's RFP Coordinator for this project: John Lipovsky, PMP Coordinator. The RFP Coordinator can be reached at the following email address: john.lipovsky@maine.gov or mailing address: 41 Anthony Avenue, 11 SHS Augusta, ME 04333-0011. The Department encourages all interested vendors to obtain a copy of the RFP and submit a competitive proposal.

Proposals must be submitted to the State of Maine Division of Purchases, located at the Burton M. Cross Office Building, 111 Sewall Street, 4th Floor, 9 State House Station, Augusta, Maine, 04333-0009. Proposals must be submitted by 2:00 pm, local time, on October 1, 2015, when they will be opened at the Division of Purchases' aforementioned address. Proposals not received at the Division of Purchases' aforementioned address by the aforementioned deadline will not be considered for contract award.

State of Maine - Department of Health and Human Services
RFP#201508144
Prescription Monitoring Program

PART I INTRODUCTION

A. Purpose and Background

The Department of Health and Human Services (Department), Office of Substance Abuse and Mental Health Services (SAMHS) is seeking proposals to provide an electronic web-based Prescription Monitoring Program (PMP) data management system as defined in this Request for Proposals (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the Provider(s) will be selected, and the contractual terms which will govern the relationship between the State of Maine (State) and the awarded Bidder(s).

Tying into the Department's goal of protecting and enhancing the health and wellbeing of Maine people, the primary goal of Maine's PMP is to improve patient care while reducing abuse and diversion of controlled prescription drugs. This is accomplished through the provision of an effective electronic PMP data management system used by medical providers, provider delegates, and pharmacists in caring for their patients.

A secondary goal of the program is to assist investigators from the Maine Boards of Licensure (Pharmacy, Medicine, Dental, and others) and MaineCare Services in identifying issues of possible prescription drug misuse, abuse and diversion. The PMP system is also used by the Department to monitor and track prescribing trends, and assess emerging needs within the provider and patient communities.

The Maine PMP grew out of a 2003 law requiring Maine to collect information about all scheduled II, III, and IV controlled substances dispensed in the state. The current system has been flexible over the years to accommodate many updates in both the state and federal rules and laws. Some of these updates include: addition of new formularies added to the list of schedule II-IV drugs, rescheduling of prescription drugs, additions of threshold alerts, changes in state requirements for PMP data reporting frequencies, and new data fields. In addition, the US Department of Veterans Affairs began uploading pharmacy data into Maine's system in October 2014. The Department's PMP system now collects between 2.5 and 3 million prescription interactions a year. The awarded Bidder will ensure that the PMP system is flexible to the needs of the Program, Office and Department. For more information on Maine's PMP system and program please see: <http://www.maine.gov/dhhs/samhs/osa/data/pmp/index.htm> .

The statute mandating this service is available online at <http://www.mainelegislature.org/legis/Statutes/22/title22ch1603sec0.html>. The current rules are available at <http://www.maine.gov/sos/cec/rules/14/118/118c011.doc>. All proposals in response to this RFP must be compliant with this law and these rules and any other applicable state or federal laws, rules, or regulations. Further background information can be found at 22 MRSA Ch. 1603 (the founding statute) and 14-118 CMR Ch. 11 (the rules governing the program, shown above).

B. General Provisions

1. Issuance of this RFP does not commit the Department to issue an award or to pay expenses incurred by a Bidder in the preparation of a response to this RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations, where applicable.
2. All proposals should adhere to the instructions and format requirements outlined in this RFP and all written supplements and amendments (such as the Summary of Questions and Answers), issued by the

Department. Proposals are to follow the format and respond to all questions and instructions specified below in the “Proposal Submission Requirements and Evaluation” section of this RFP.

3. Bidders shall take careful note that in evaluating a proposal submitted in response to this RFP, the Department will consider materials provided in the proposal, information obtained through interviews/presentations (if any), and internal Departmental information of previous contract history with the Bidder (if any). The Department also reserves the right to consider other reliable references and publicly available information in evaluating a Bidder’s experience and capabilities. The proposal shall be signed by a person authorized to legally bind the Bidder and shall contain a statement that the proposal and the pricing contained therein will remain valid and binding for a period of 180 days from the date and time of the bid opening.
4. The RFP and the selected Bidder’s proposal, including all appendices or attachments, shall be the basis for the final contract, as determined by the Department.
5. Following announcement of an award decision, all submissions in response to this RFP will be considered public records available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) (1 M.R.S. §§ 401 et seq.).
6. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in proposals received in response to this RFP.
7. The State of Maine Division of Purchases reserves the right to authorize other Departments to use the contract(s) resulting from this RFP, if it is deemed to be beneficial for the State to do so.
8. All applicable laws, whether or not herein contained, shall be included by this reference. It shall be Proposer’s/Vendor’s responsibility to determine the applicability and requirements of any such laws and to abide by them.

C. Eligibility to Submit Bids

Public agencies, private for-profit companies, and non-profit companies and institutions are invited to submit bids in response to this Request for Proposals.

D. Contract Term

The Department is seeking a cost-efficient proposal to provide services, as defined in this RFP, for the anticipated contract period defined in the table below. Please note that the dates below are estimated and may be adjusted as necessary in order to comply with all procedural requirements associated with this RFP and the contracting process. The actual contract start date will be established by a completed and approved contract. Three months will be added onto the contract in the initial period, if the awarded Bidder is not the current vendor, to allow for some overlap between the current vendor and the awarded Bidder for transferring and testing data.

Contract Renewal: Following the initial term of the contract, the Department may opt to renew the contract for two renewal periods of two years each, subject to continued availability of funding and satisfactory performance.

The term of the anticipated contract, resulting from this RFP, is defined as follows:

Period	Start Date	End Date
Initial Period of Performance	December 1, 2015	December 31, 2017
Optional Renewal Period #1	January 1, 2018	December 31, 2019
Optional Renewal Period #2	January 1, 2020	December 31, 2022

E. Number of Awards

The Department anticipates making one award as a result of this RFP process.

F. Definitions

1. **Controlled substance:** A substance included in schedules II, III or IV <http://www.deadiversion.usdoj.gov/21cfr/21usc/> .
2. **Dispenser:** A pharmacist who is licensed or registered under Title 32 or a licensed health care professional with authority to dispense or administer prescription drugs.
3. **Fund:** The Controlled Substances Prescription Monitoring Program Fund established in section 7247 <http://www.mainelegislature.org/ros/LOM/LOM121st/10Pub451-500/Pub451-500-134.htm> .
4. **Office:** Office of Substance Abuse and Mental Health Services, which houses the PMP program. [2011, c. 657, Pt. AA, §65 (RP)]
5. **Prescriber:** A licensed health care professional with authority to prescribe controlled substances.
6. **Prescription Monitoring Information:** Information submitted to and maintained by the program.
7. **Program:** The Controlled Substances Prescription Monitoring Program established under section 7248 <http://www.mainelegislature.org/legis/Statutes/22/title22sec7248.html>
8. **Maine's Prescription Monitoring Laws:** <http://legislature.maine.gov/legis/statutes/22/title22ch1603sec0.html>
9. **Maine's Prescription Monitoring Rules:** <http://www.maine.gov/sos/cec/rules/14/118/118c011.doc>

PART II SCOPE OF SERVICES TO BE PROVIDED

A. General

The Awarded Bidder will collect data from all Maine licensed pharmacies daily (Maine law (<http://www.mainelegislature.org/LawMakerWeb/summary.asp?ID=280055907>) states that pharmacies report into the system not later than the close of business on the next business day of the controlled substance after it has been dispensed and delivered), clean and store the data, and make the data available to authorized data requesters online. This online interface enables PMP users to check a patient's prescription history. The PMP program requires that system response time will be less than 6 seconds per page. Continuity of access to this online system is of utmost importance.

The proposal must specifically address how and when noted tasks will be accomplished and who will perform them (include this in your work plan). Details for the specific needs are required. All of the tasks will be performed in close collaboration with and final approval by the Department and must comply with the requirements specified in Rider B-IT of the contract (reference included in Part V of this RFP).

B. Requirements

The Awarded Bidder selected through this RFP process is expected to offer a secure (per the Maine Office of Information Technology) web-based system accessible 24 hours a day, 7 days a week, 365 days a year (collectively referred to as 24/7/365), by health care professionals and their delegates authorized by the Maine Office of Substance Abuse and Mental Health Services. The Awarded Bidder is expected to work with the current provider to ensure a smooth transition such that there is no (or negligible) interruption in service. This includes transference of six (6) years of all data collected by the current vendor into the new system.

The Awarded Bidder must adhere to the Department's remote hosting policy and protect the Department's interests with a software escrow clause to be exercised only in case the provider goes out of business. The Awarded Bidder must satisfy Department requirements for Application Deployment Certification, Accessibility, and Remote Hosting, all 3 of which are hosted at this site: <http://www.maine.gov/oit/policies/index.shtml>. The system must comply with Health Insurance Portability and Accountability Act (HIPAA) regulations and the Health Information Technology for Economic and Clinical Health (HITECH) Act (<http://www.hhs.gov/ocr/privacy/hipaa/understanding/summary/index.html>). The Awarded Bidder will work with the Office of Information Technology (OIT) and submit any required information to the Department to show compliance with the required policies.

C. Reporting

This project requires report development for a variety of purposes. It is important that the technical solution developed to fulfill the goals of this RFP be built with a web interface in mind and with the idea of a smooth flow of data from the database to the web interface, such that an authorized end user can log on directly or through Maine's Health Information Exchange (HIE): <http://www.maine.gov/dhhs/oms/HIT/hie.htm> or other Electronic Health Record Systems and produce a patient prescription history report within a matter of minutes. Department Administrators of the PMP must be able to retrieve a variety of data, including prescription trends, prescribing trends, system use, audits, etc.

This RFP seeks proposals for:

1. the data collection of the Schedule II, III and IV drug pharmacy data;
2. development and maintenance of the database to manage and house the data;
3. development of pre-determined thresholds that will identify people whose health may be at risk due to combinations of drugs prescribed or high doses of scheduled drugs, or people obtaining prescriptions through fraud from doctors and pharmacists;
4. development of a variety of reports that will assist prescribers in identifying patterns of misuse;
5. development of automated and manual procedures for identifying incomplete or inaccurate data, notifying pharmacies of the error or omission, and obtaining accurate and complete data.

D. Data Collection and Security

The Department welcomes proposals from Bidders demonstrating how best to collect and manage the data. All proposals should be extremely detailed in regards to how the data will be collected; descriptions of the database; suggestions for setting thresholds of use; layouts and specifications of reports; and receiving and filling data requests. The system should be scalable to meet growing data volumes and additional requirements as business needs change.

In regard to the collection of the prescription data, The Department intends to use the recommendations of the American Society for Automation in Pharmacy (ASAP: <http://www.asapnet.org/>) to collect the data and to use a standard batch file transfer to upload the data into the system. Current rules require most pharmacies to submit data not later than the close of business on the next business day of the controlled substance after it has been dispensed (both filled and delivered), in a fashion similar to their data submission for billing purposes. Section 4 of the Maine PMP rules permits waivers to the submission requirements for small pharmacies that do not have the capacity to submit electronically or with the frequency we desire or due to the pharmacy not dispensing schedule II-IV drugs.

The following fields are required for collection:

1. Dispenser identification number;
2. Pharmacy name;
3. Pharmacy zip code;
4. Pharmacy state;
5. Date(s) the prescription was filled and delivered (issued);
6. Prescription number;
7. National Drug Code (NDC) for the drug dispensed;
8. Drug name;
9. Quantity dispensed;
10. Days' supply;
11. Whether the prescription is new or is a refill;
12. Number of refills;
13. Patient identification number;
14. Patient name;
15. Patient address;
16. Patient zip code;
17. Patient date of birth;
18. Prescriber identification number (DEA);
19. Prescriber name;
20. Prescriber zip code;
21. Prescriber State;
22. Date the prescription was issued by the prescriber; and
23. Office-issued number if the office chooses to establish a serial prescription system.

With the exception of the last item (“Office-issued number if the office chooses to establish a serial prescription system”), the above data elements are currently being submitted in the ASAP 4.2 format <http://www.asapnet.org/>.

All of the data collected by the Awarded Bidder for the purposes of this program will be owned by the Department. Protection and security of the data is exceptionally high. All data must be stored within the United States of America. A Business Associate Agreement will be required from the Awarded Bidder. Release of any information by the Awarded Bidder from the PMP database, other than specifically agreed upon in writing, is prohibited and may be criminally prosecuted. Data collected for this program is protected by confidentiality laws and rules stricter than federal regulations covering health care information (HIPAA).

Aggregate data will be reported by the Awarded Bidder in a format that will be useful for quarterly review by Department staff and other persons as deemed necessary.

This RFP is seeking an organization to carry out the tasks identified below for the basic functioning of the Department’s Prescription Monitoring Program (PMP) and show in detail how they plan to provide services outlined below. The Awarded Bidder is required to work with the Department and the existing provider to validate the data conversion process. The Awarded Bidder will be responsible for the first round of user acceptance testing of each of these features of the program:

1. Collection of Schedule II, III, and IV controlled substances drug data from dispensers as defined in Maine (Statute, <http://www.mainelegislature.org/legis/statutes/22/title22sec7246.html>), not later than the close of business on the next business day of the controlled substance prescription after it has been dispensed (both filled and delivered), using the American Society for Automation in Pharmacy (ASAP 4.2) format or most recent version (available at www.asapnet.org). This task must be accomplished by use of a secure FTP server and a secure web site for uploading of electronic files by data-submitters (FTPS or HTTPS, encrypted to SSL 3.0 and/or TLS 1.0). The Department’s current PMP service provider collected records for 2.63 million transactions during 2014.
2. Creating editing processes as determined by the Department for the importing of the prescription data to aid in the cleaning of the data to ensure it is as accurate and complete as possible. This service will require working with dispensers to assist them in submitting clean and accurate data and developing technology and procedures for allowing data submitters to correct or delete records that are determined to be inaccurate. Automated “edit checks” for verifying the format of data submitted, in various fields of the ASAP 4.2 standard are essential to this task. The Awarded Bidder must not accept any records submitted by dispensers that do not meet Maine’s implementation of the ASAP 4.2 standard.
3. Developing a secure database to manage the data collected from the dispensers. The application should allow for a web interface and single sign on through the Maine Health Information Exchange or through multiple Electronic Health Record Systems for authorized data requesters as defined in Maine (Statute, <http://www.mainelegislature.org/legis/statutes/22/title22sec7250.html>) to access data depending upon the requester’s role/level of access. This task must include creation of separate test, training, and production environments and establishment of appropriate regular back-up procedures for the production database. Database design must also allow for participation in interstate data sharing and interoperability with other Electronic Health Record Systems, the Prescription Monitoring Information Exchange (PMIX) project (more on PMIX below) and in searching patient information, offer the capacity for seamless interoperability with multiple information hubs. The design of the database should also take into account the possibility of “point-of-sale” automated data submission by dispensers in the near future.

4. The Bidder will specify in their proposal a back-up and recovery strategy. Please specify the following minimum time requirements able to be met:
 - a. At a minimum in the event of a disaster, the Bidder is able to restore the data to within xx hours of the point of system failure providing an xx hour Recovery Point Objective (RPO) (i.e. data loss will not exceed xx hours).
 - b. Bidder is able to recover the system within xx hours of system failure, providing an xx hour Recovery Time Objective (RTO). An annual test of the disaster recovery plan is required.
5. Loading of the prescription data into the database, which must take place no later than the close of business on the next business day of the controlled substance prescription after it has been dispensed (both filled and delivered). Transfer of a .CSV copy of new records (excluding patient names) to the Department must occur quarterly, through an approved secure mechanism (such as, Secure File Transfer Portal (SFTP)).
6. Providing automated algorithms that make use of technology to take slightly different but similar records and cluster and link them, based on the likelihood of their corresponding to one and the same person. The process of clustering and linking matches the same patient information within a single dataset or across several datasets where variations in data may be present. These variations may include, in part: use of abbreviations, varied identifiers for patients, lack of matching fields, differences in field lengths, typographical errors, and incompatible date formats or data coding. Examples of data variations:
 1. Patient name – William, Will, Willy, Bill, Billy
 2. Patient address – S., S, South; Highway, Hwy; 12th, Twelfth; Drive, Dr
 3. Typographical errors – mistyped dates of birth, patient names/addresses, or transposed characters
 4. Date of Birth – mmddyyyy, yyyyymmdd
 5. Data Formats – text, binary
 6. Data coding - M for male, 1 for male

The algorithms used to cluster and link such records, should reflect the highest standards currently employed by industry. The algorithms will also produce unique de-identification numbers for patients, prescribers, and pharmacies that will be provided to the Department with the rest of the data on a quarterly basis through an approved secure mechanism.

7. Programming, development, and delivery (encrypted email reports to doctors with an active email address and hard copy mail reports to doctors that don't have an email address) of five different unsolicited reports alerting the doctor to risk thresholds of prescription use. These unsolicited reports are triggered by patients who cross a threshold number of doctors/pharmacies during a given time period, persons with unusually high dosages of Schedule II, III & IV drugs, and persons with particular drug combinations. SAMHS will establish these thresholds in consultation with the Awarded Bidder, and they may change during the course of the contract period at no further cost to SAMHS. (The current service provider sends approximately 80 monthly "Buprenorphine and Narcotics Concurrent Usage" reports; 200 quarterly "Patient Threshold" reports; 150 quarterly "Acetaminophen Patient Threshold" reports; 2,200 "Multiple Opioid Threshold" reports; and 600 Morphine Equivalent Dose Threshold reports to prescribers.) The number and frequency of the report may change during the course of the contract period. An example of the current "Patient Threshold" report is provided in Appendix D. Allowance within the electronic system for a prescriber to override the state set level of threshold for 2 reports (making it more restrictive than the state level): 1) allow a prescriber to set number of prescribers/pharmacies for his/her patient; and 2) allow the prescriber to change the Morphine Equivalent Dose Threshold so he/she receives a report at a lower level.

8. Establishing a process to automatically authorize enrollment of prescribers and dispensers as data requesters at least weekly using the state licensing board's vendor data files and authorized data submitters. To include at least, prescriber or dispenser name, address, email, specialty, DEA number, and suffix (if applicable). Also establish a process for delegate registration that allows prescribers and dispensers to approve another person as a delegate account to access the PMP and link the data requester with the delegate account. The registration process and maintenance of user accounts on the web portal must follow industry-standard and Department security guidelines, including, but not limited to, periodic password expiration, SSL, and automated log-out after 10 minutes idle time.
9. Processing and responding to information requests from data requesters, 24 hours a day, 7 days a week, 365 days a year. This task will involve the establishment and/or maintenance and hosting of a secure online "portal" to the PMP database through which authorized data requesters can produce reports, any time of day, any day of the year. If the Awarded Bidder proposes to provide a service, the system response time must be within 3-6 seconds per page. The Awarded Bidder is expected to provide technical help desk support for all users of this system at a minimum via telephone, and as deemed appropriate by email, or fax from at least 8:00 AM – 5:00 PM, Mon – Fri, EST; excluding national holidays. This task must also include processes for tracking searches done by data requesters to allow for auditing of searches by the data requesters themselves (for their searches) and by the Department PMP administrators (for all searches). Through this system, medical prescribers must have access to any patient history and their own prescribing histories; Pharmacies must have access to any patient history and their own dispensing histories, free of charge.
10. Processing and responding to requests for information about database usage from the Department. This task must allow Department staff members to audit all persons' use of the system, run the same reports as data requesters, produce aggregate reports on database usage, and pull data on data requester and data submitter registration.
11. In-person training, plus training manual of the system for four Department staff members, plus provide on-line training resources for approximately 430 data submitters and anywhere from 7,000 to 11,000 data requesters in the use of the system. This task will be conducted collaboratively with Department staff members and will include technical manuals with screen shots available online for data submitters and requesters. (An administrator manual will be made available to Department staff members.) This task will also include outreach to current and potential data submitters for communication of changes to data submission procedures. The Awarded Bidder is expected to create, host, and maintain an educational web page about the system. Training should be completed within 3 months following the award of the contract.
12. Delivering quarterly, semi-annual, annual, and "ad hoc" reports to the Department for review. At least four quarterly .CSV files of the data in the system, two semi-annual reports, one annual report, and up to four ad-hoc reports each month will be required to meet data specific report requests from press, researchers, policy makers etc. The quarterly reports will be developed in conjunction with Department staff members to track the number of certain drugs and the number of patients receiving those drugs; the total numbers of all controlled substance transactions in each county and statewide; number of data requesters using the system by user role; and the number of threshold reports sent out each quarter. The semi-annual reports will be used to track various parameters of interest to federal funders, including the number of patients who received certain drugs and the number of reports requested by prescribers. The annual report will allow the Department to assess the awarded Bidder's compliance with various requirements of the contract.

13. Purging of controlled substance prescription records greater than six years old on a monthly basis. All files corresponding to transactions that occurred greater than six years prior to the current day shall be deleted, including any and all copies of these files, as required by law.
<http://www.mainelegislature.org/legis/statutes/22/title22sec7250.html>
14. Interstate Prescription Monitoring Information Exchange (PMIX)
<http://www.pdmpassist.org/content/prescription-drug-monitoring-information-architecture-pmix>: As a separate line item in the cost proposal, bidders are requested to estimate the cost of an additional service of providing connectivity to a PMIX compliant hub system. Additional tasks related to this project may include, but would not be limited to, development of a PMIX-specific user interface, administrative functions, and security features. The timeframe for this project would be for deployment of the new features by May 31, 2016.
15. A user interface that will help prescribers and dispensers identify potential negative drug interactions at the time of prescribing.
16. Include on a patient report: adding a summary of patient activities at the top of the solicited patient report that lists: 1) number of prescribers a patient has received prescriptions from in the last 90 days, 2) number of pharmacies that dispensed a prescription to a patient in the last 90 days, 3) number of opioid prescriptions dispensed to a patient in the last 90 days, and 4) patient median morphine equivalents in the last 90 days.
17. Prescription Data Standard Reports: These are examples of the minimum report tools the PMP administrator can use to generate information at any time for any time frame. The Prescription Drug Monitoring Program Training and Technical Assistance Center (PDMP TTAC) offers a guide that lists a variety of useful reports.
(http://www.pdmpassist.org/pdf/Standardized_Reports_LE_Boards_TAG_FINAL_20140626.pdf)
 - a. **Trend Review Reports** – ability to see total prescriptions for patients in state and out of state, unique recipient count, unique prescriber count, prescription count and quantity count by county by month with a customizable timeframe (to and from dates). The report should allow a drill down to counts for prescriptions, recipients, dispensers and prescribers for, 1) Pain relievers, 2) Tranquilizers, 3) Stimulants, and 4) Sedatives, and be filterable for pill/capsule formulations.
 - b. **Top Ranking Reports** – A report for each of the following drug categories, Pain relievers, Tranquilizers, Stimulants, and Sedatives with a custom time frame (to and from dates), with demographic features (county, city, zip code). Choices to generate the report should include 1) Prescriptions, 2) Total quantity, 3) Total days' supply and an option to generate these reports for the top 10 percent of prescribers. Report page size choices should be at least incremental (500, 1000, 2000, 4000, 8,000, unlimited). Report columns should show license type and specialty when you drill down to the prescriber level. Add top prescribers and dispensers with combinations such as (opioid/benzos, benzos/stimulants, etc.)
 - c. **Dashboard Report** – For timeframe entered this would show key statistics across several measures including number of active accounts by user type (Prescribers, Pharmacists, Delegates) by county, number of queries made by user type. Prescriptions, unique recipients, unique prescribers, for:
 - i. Pain relievers
 - ii. Tranquilizers
 - iii. Stimulants
 - iv. Sedatives
 - v. Top 10 drugs by prescription count

Provide a quarterly report similar to the one that the State of Oregon offers.

(http://www.orpdmp.com/orpdmpfiles/PDF_Files/Reports/Jan%20-%20March%202015%20Quarterly%20Report.pdf).

18. Account Registration Standard Reports:

- a. Provide a report that will show by user group (prescriber, pharmacist, delegate, licensing board investigator,) (Statute, <http://www.mainelegislature.org/legis/statutes/22/title22sec7250.html>), and by county, the number of active accounts as of a certain date. The report should allow filtering the report by state.
- b. Provide a report that shows by user group (prescribers, pharmacists, delegates), and by state, the number of active out of state accounts as of a certain date.
- c. Provide a report that shows which delegates a master account is linked to and a report that shows which master accounts a delegate is linked too.
- d. Provide a report that shows all active accounts for a specific site and agency (like a state agency or licensing board).

19. User Queries Standard Reports:

- a. Be able to run a report by practice that shows number of patient histories run by license/specialty type, specialty, by county. Also a similar report for out of state users by state.
- b. Be able to show for prescribers, the number of patient histories run by license/specialty type and county. Also a similar report for out of state users by state.
- c. Be able to show for dispensers, the number of patient histories run by license type (PharmD, Registered Pharmacist) and county. Also a similar report for out of state users by state.
- d. For licensing boards, be able to show the number of patient, dispenser, and prescriber histories run by agency over a specific time period.
- e. A report to summarize patient histories run via interstate data sharing hubs and other Electronic Health Record systems.

20. Uploader Standard Reports:

- a. **Upload Details** – Show the type of uploaders in a summary section (chain pharmacy, independent pharmacy, hospital, practitioner (with sub-types). Then have a standard list report with the following detail: uploader type, active/inactive, in or out of state, number of DEAs they report for, last date they uploaded, number of records submitted to date.
- b. **Compliance Report** – a compliance report must show which dispensers did not report at the correct frequency (not later than the close of business on the next business day of the controlled substance after it has been dispensed (both filled and delivered) and show those that have a 3 day or larger day gap in reporting time periods.
- c. **Zero Report and Upload History** – A single report to show total reporting history over any given time period. Allow for a sort by upload date or first prescription date.
- d. **Upload Accuracy** – A report that show the number of errors and number not corrected for serious, fatal, and minor errors. Include links or a way to directly contact the uploader from the report. Allow for running for today's date or a custom time period.
- e. **Unverifiable Prescriber or Dispenser DEA** – Group dispensers by Uploader ID to allow contact directly from the report and to send the uploader the list of DEA numbers they report for that had DEA numbers and what those numbers were and prescription numbers filled and delivered dates. Include state license number for uploader accounts so they have to put in the DEA number and corresponding state license number for each entity they are reporting for.
- f. Refer to the PDMP TTAC guide recently published on pharmacy compliance and data integrity. There are suggestions for helpful reports/techniques for pharmacy compliance reports.

21. Provide a prescriber or dispenser report page- This report page would show at a minimum the prescriber or dispenser standings with regard to their prescribing or dispensing patterns in comparison to their peers in the state who use the PMP. Summaries on this page would include comparisons of: 1) total opioids prescribed or dispensed, 2) five most commonly prescribed or dispensed controlled substance in the state, and 3) volume of the prescriber's or dispenser's top five opioids/sedatives prescribed.
22. This report page would show prescriber standings with regard to their prescribing patterns in comparison to their peers in the state who use the PMP. Summaries on this page would include comparisons of: 1) total opioids prescribed as indicated by: 1a) mg of morphine equivalents, 1b) total day's supply over a given 30 days, 2) total sedatives prescribed as indicated by: 2a) mg of diazepam equivalents, 2b) total day's supply over a given 30 days, 3) total stimulants prescribed as indicated by: 3a) mg of methylphenidate equivalents, 3b) total day's supply over a given 30 days, 4) five most commonly prescribed controlled substance in the state, and 5) volume of the prescriber's top five opioids/sedatives/stimulants prescribed.
23. Miscellaneous System Features
 - a. A report that identifies prescribers or dispensers that had a patient reach one of the unsolicited threshold levels the state monitors.
 - b. Link prescribers and dispensers to both an NPI number and DEA number
 - c. Include a customizable information text field for a patient report
 - d. Ability to track DEA suffix i.e. for facilities that offer internships where an intern uses the hospital DEA number to prescribe controlled substances.
 - e. Include a filter to all prescriptions for showing only records for Veterinarians or to exclude them and likewise for the species code (animal, human, or both)
 - f. Show Drug Profile – allow searches by drug name and other options
 - g. Ability to run all reports by license/specialty and by county.

Performance Indicators: The Bidder must demonstrate how they will assure timely completion of the goals and services specified in this RFP, as well as how to measure progress toward achieving the goals for every component for both the transition (if other than the current service provider) and operation phases. The applicant must describe how they plan to ensure timely delivery of services and propose how they will deal with any potential delays taking the following into consideration:

1. If service delays are expected, The Department requires a written notice at least 30 days prior to the expected delivery date outlining a reason for the delay, a plan for completion and a new anticipated date of delivery that is acceptable to the Department. Weekly updates to the PMP Coordinator in a method determined by the Department are expected between the original date of delivery and the actual delivery date.
2. System enhancements, costs and delivery dates must be set within one month and the awarded Bidder must be flexible to changes to enhancement requests after the original submission. The Department recognizes that changes may change the cost originally estimated for the enhancement.
3. If an agreed upon enhancement date is going to be more than 3 months late, a late fee will be applied to the quote budgeted in the contract, and deducted from the cost of that deliverable.

PART III KEY RFP EVENTS

A. Timeline of Key RFP Events

Event Name	Event Date and Time
Due Date for Receipt of Written Questions	September 10, 2015 at 5:00pm, local time
Due Date for Receipt of Proposals	October 1, 2015 at 2:00pm, local time
Estimated Contract Start Date (subject to change)	December 1, 2015

B. Questions

1. General Instructions

- It is the responsibility of each Bidder to examine the entire RFP and to seek clarification in writing if the Bidder does not understand any information or instructions.
- Questions regarding the RFP must be submitted in writing and received by the RFP Coordinator listed on the cover page of this RFP document as soon as possible but no later than the date and time specified in the timeline above.
- Questions may be submitted by e-mail, and include the RFP Number and Title in the subject line. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.
- Include a heading with the RFP Number and Title. Be sure to refer to the page number and paragraph within this RFP relevant to the question presented for clarification, if applicable.

- 2. Summary of Questions and Answers:** Responses to all substantive and relevant questions will be compiled in writing and distributed to all registered, interested persons by e-mail no later than seven (7) calendar days prior to the proposal due date. Only those answers issued in writing by the RFP Coordinator will be considered binding. The Department reserves the right to answer or not answer any question received.

C. Submitting the Proposal

- Proposals Due:** Proposals must be received no later than 2:00 p.m. local time, on the date listed in the timeline above, at which point they will be opened. Proposals received after the 2:00 p.m. deadline will be rejected without exception.
- Mailing/Delivery Instructions:** PLEASE NOTE: The proposals are not to be submitted to the RFP Coordinator at the requesting Department. The official delivery site is the State of Maine Division of Purchases (address shown below).
 - Only proposals received at the official delivery site prior to the stated deadline will be considered. Bidders submitting proposals are responsible for allowing adequate time for delivery. Proposals received after the 2:00 p.m. deadline will be rejected without exception. Postmarks do not count and fax or electronic mail transmissions of proposals are not permitted unless expressly stated in this RFP. Any method of hardcopy delivery is acceptable, such as US Mail, in-person delivery by Bidder, or use of private courier services.
 - The Bidder must send its proposal in a sealed package including **one original and six (6) copies** of the complete proposal. Please clearly label the original. One electronic copy of the proposal must also be provided on CD or flash drive with the complete narrative and attachments in MS Word format. Any attachments that cannot be submitted in MS Word format may be submitted as Adobe (.pdf) files. The electronic copy should comply with standards of Section 508 of the Rehabilitation Act- <http://www.justice.gov/crt/508/508home.php>, ensuring that individuals with disabilities will

have access to and use of information comparable to that provided to individuals who do not have disabilities.

- c. Address each package as follows (and be sure to include the Bidder's full business name and address as well as the RFP number and title):

Bidder Name/Return Address

Division of Purchases
Burton M. Cross Building, 4th Floor
111 Sewall Street
9 State House Station
Augusta ME 04333-0009

Re: RFP#201508144

PART IV PROPOSAL SUBMISSION REQUIREMENTS

This section contains instructions for Bidders to use in preparing their proposals. The Bidder's proposal must follow the outline used below, including the numbering and section and sub-section headings as they appear here. Failure to use the outline specified in this section or to respond to all questions and instructions throughout this document may result in the proposal being disqualified as non-responsive or receiving a reduced score. The Department and its evaluation team for this RFP have sole discretion to determine whether a variance from the RFP specifications should result in either disqualification or reduction in scoring of a proposal. Rephrasing of the content provided in this RFP will, at best, be considered minimally responsive. The Department seeks detailed yet succinct responses that demonstrate the Bidder's experience and ability to perform the requirements specified throughout this document.

A. Proposal Format

1. For clarity, the proposal should be typed or printed. Proposals should be single-spaced with 1" margins on white 8 1/2" x 11" paper using a font no smaller than 12 point Times New Roman or similar.
2. All pages should be numbered consecutively beginning with number 1 on the first page of the narrative (this does not include the cover page or table of contents pages) through to the end, including all forms and attachments. For clarity, the Bidder's name should appear on every page, including Attachments. Each Attachment must reference the section or subsection number to which it corresponds.
3. Bidders are asked to be brief and to respond to each question and instruction listed in the "Proposal Submission Requirements" section of this RFP. Number each response in the proposal to correspond to the relevant question or instruction of the RFP. The narrative should be limited to a maximum total of 20 pages. Pages provided beyond the aforementioned maximum amount will not be considered during evaluation.
4. The following proposal elements, if applicable/requested, will not be counted as part of the maximum total number of pages allowed for the proposal: proposal cover page, table of contents, financial forms, any required attachments, appendices, or forms provided by the Department in the RFP, organizational charts, job descriptions, or staff résumés.
5. The Bidder may not provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Any material exceeding the proposal limit will not be considered in rating the proposals and will not be returned. Bidders shall not include brochures or other promotional material with their proposals. Additional materials will not be considered part of the proposal and will not be evaluated.
6. Include any forms provided in the application package or reproduce those forms as closely as possible. All information should be presented in the same order and format as described in the RFP.
7. It is the responsibility of the Bidder to provide all information requested in the RFP package at the time of submission. Failure to provide information requested in this RFP may, at the discretion of the Department's evaluation review team, result in a lower rating for the incomplete sections and may result in the proposal being disqualified for consideration.
8. Bidders should complete and submit the proposal cover page provided in Appendix A of this RFP and provide it with the Bidder's proposal. The cover page must be the first page of the proposal package. It is important that the cover page show the specific information requested, including Bidder address(es) and other details listed. The proposal cover page shall be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.

B. Proposal Contents

Section I Organization Qualifications and Experience

1. Overview of the Organization

Present a detailed statement of qualifications and summary of relevant experience. If subcontractors are to be used, provide a list that specifies the name, address, phone number, contact person, and a brief description of the subcontractors' organizational capacity and qualifications.

- a. Attach a copy of the Bidder's Articles of Incorporation (see Section IV Attachments for details about typical documentation.)
- b. Attach a list of the current Board of Directors or other governing body whose membership represents the area served. Include full names, addresses, and identify the officers of the Board (i.e., Chair, Vice-Chair, Secretary, Treasurer, etc.).
- c. Describe any organizational changes that are proposed for the Bidder. Also indicate any plans for mergers, acquisitions or buy-outs.
- d. Attach a list all current litigation in which the Bidder is named and a list of all closed cases in which Bidder paid the claimant either as part of a settlement or by decree. For each, list the entity bringing suit, the complaint, the accusation, amount and outcome.

Include a, b, c and d above as Attachment #1-4.

2. Organization Location and Licensure

- a. Location of the corporate headquarters. Also, describe the current or proposed location where services will be provided or from which the contract will be managed.
- b. Attach a certificate of insurance on a standard Acord form (or the equivalent) evidencing the Bidder's general liability, professional liability and any other relevant liability insurance policies that might be associated with this contract.
- c. Attach documentation of any applicable Maine licensure requirements (or any specific credentials required).

Include b and c above as Attachment #5.

3. Organizational Experience

Briefly describe the history of the Bidder's organization, especially regarding skills pertinent to the specific work required by the RFP and any special or unique characteristics of the organization which would make it especially qualified to perform the required work activities. Include similar information for any subcontractors.

4. Description of Experience with Similar Projects

- a. Provide information on no more than 5 projects that reflect experience and expertise needed to perform any or all of the functions described in Specifications of Work to be performed. If there were any performance problems for any cited experience, briefly describe them and explain how they were corrected. Please note: contract history on record will be considered in rating the proposal. Include, as attachments, database designs and report layouts that may have been created for other similar projects (not to exceed ten pages).
- b. If the Bidder has not provided similar services, note that, and describe experience with projects that highlight the Bidder's general capabilities, especially with similar large-scale, data collection and secure database development work for which the Bidder was the primary contractor (if subcontractors were responsible for significant portions, describe which portions the bidder was directly responsible for).

- c. Letters of Recommendation may be attached, from persons who are familiar with the bidder's experience and success with services or projects. In particular, the letters should address degree of satisfaction with the bidder's performance. No more than three (3) letters of recommendation will be accepted. Copies of the letters must be enclosed with each copy of the proposal package. We will not accept recommendation letters sent separately, directly to the State agency, either before or after the proposal filing deadline.

- 5. Organizational Chart** - Attach an organizational chart of the Agency responding to this RFP. The organizational chart must include the program/component being proposed. Each position must be identified by position title and correspond to the personnel job descriptions required in Item No. 6 below.

Include the Organizational Chart as Attachment # 6.

- 6. Job Descriptions for key positions** - Attach Job descriptions for all staff assigned to the project being proposed in this RFP. Job descriptions must include minimum qualifications. If your organization administers programs other than the one being proposed this RFP, include job descriptions of the Executive Director and chief fiscal officer and any other key management staff who will be responsible for carrying out the objectives of the program/component being proposed.

Include Job Descriptions as Attachment # 7.

- 7. Staff Resumes** - Attach up-to-date resumes of current staff members that match up with the job descriptions requested above. Position titles must be the same as the position titles on each Job description and on the organization chart.

Include Staff Resumes as Attachment # 8

8. Financial Stability

- a. The Bidder must demonstrate adequate financial resources for performance of the contract or the ability to obtain such resources.
- b. Attach copies of the Bidder's audited financial statements for three most recent years, including, but not limited to (as applicable):
 - i. American Institute of Certified Accountants Statements on Auditing Standards (SAS) No. 70 *Service Organizations*) audit;
 - ii. Federal A-133 Single Audit; and
 - iii. Maine Uniform Accounting and Audit Practices for Community Agencies (MAAP) audit.

Include Financial Stability Documents as Attachment # 9.

Section II Proposed Services

1. Services to be Provided

Discuss the Scope of Services referenced above in Part II of this RFP and what the Bidder will offer. Give particular attention to describing the methods and resources you will use and how you will accomplish the tasks involved, with particular attention to security and confidentiality. If subcontractors are involved, clearly identify the work each will perform. This section must clearly demonstrate how the Bidder will make Maine's PMP useful, secure, and state of the art.

2. Implementation - Work Plan

Provide a realistic work plan with timeline for the implementation and maintenance of the system through the first contract period. Display the work plan and timeline in a chart of your own design. Concisely describe each system development and implementation task (if necessary), the month it will be carried out and the person or position responsible for each task. If applicable, make note of all tasks to be delegated to subcontractors. This work plan should be consistent with your staffing and budget. Proposals submitted by Bidders other than the current service provider must address how the transition from the current provider will be handled such that any potential disruption in service would be avoided or minimized.

Include Work Plan as Attachment # 10.

3. Technical Architecture

Provide a narrative and pictorial description of the proposed technical solution based upon the technical requirements as specified in this RFP. Information to be provided must include but not be limited to the following:

- a. Description of Architectural Design
- b. Assumptions (e.g. Out of Scope, In Scope)
- c. Framework/Architecture (Physical, Application) including architectural diagram
- d. Structural Design (Database, Application Code, Business Logic, Programs)
- e. Security (Authentication, Authorization, Data Protection, Auditing, Physical and Network)

Include Technical Architecture as Attachment # 11.

Section III Cost Proposal

1. General Instructions

- a. The Bidder must submit a cost proposal that covers the entire period of the contract. Please use the expected contract start date of December 1, 2015 and an end date of December 31, 2017, in preparing this section.
- b. The cost proposal shall include the costs necessary for the Bidder to fully comply with the contract terms and conditions, RFP requirements and any amendments to those requirements, and the responses provided in the bidder's proposal. For information that is not applicable, please identify it as such by indicating N/A and explain.
- c. Failure to provide the requested information and to follow the required cost proposal format may result in the exclusion of the proposal from consideration, at the discretion of the Department.
- d. No costs related to the preparation of the proposal for this RFP or to the negotiation of the contract with the Department may be included in the proposal. Only costs to be incurred after the contract effective date that are specifically related to the implementation or operation of contracted services may be included.
- e. Provide firm, fixed costs tied to the tasks and deliverables outlined in this RFP. Explain the basis for determining the costs.

2. Cost Proposal Form Instructions

- a. **Budget Forms:** Bidders are to complete and submit budget forms to provide a detailed breakdown of expenses in performing the services as described in this RFP and in the Bidder's proposal. The budget forms can be found in Appendix B of this RFP.

- b. **Budget Narrative:** Bidders are to include a brief budget narrative to explain the basis for determining the expenses submitted on the budget forms. (Please note: The budget narrative will not count against the narrative page limited stated in PART IV, Section A., subsection 3.)

Section IV Economic Impact within the State of Maine

Using the form in Appendix C, the Bidder is required to describe the Bidder's recent past and anticipated economic impact upon and within the State of Maine. The use of economic impact in making contract award decisions is required in accordance with Executive Order 2012-004, which states that certain service contracts "...advertised for competitive bid shall include scoring criteria evaluating the responding Bidder's economic impact on the Maine economy and State revenues."

Section V Required Proposal Attachments

The following documents must be attached to the back of each Bidder's proposal in the order as numbered below. The required documents will be reviewed and rated by the Department's evaluation team.

1. Articles of Incorporation (if applicable)
2. Current Governing Body
3. Anticipated Organizational Changes
4. Current and Past Litigation
5. Certificates of Insurance and documentation of applicable Maine Licensure or credentials
6. Organizational Chart
7. Job Descriptions
8. Staff Resumes
9. Financial Stability Documents
10. Work Plan
11. Technical Architecture

PART V PROPOSAL EVALUATION AND SELECTION

Evaluation of the submitted proposals shall be accomplished as follows:

A. Evaluation Process - General Information

1. An evaluation team, comprised of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP, and in accordance with the most advantageous cost and economic impact considerations (where applicable) for the State.
2. Officials responsible for making decisions on the selection of a contractor shall ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the Bidder whose proposal best satisfies the criteria of the RFP at a reasonable/competitive cost.
3. The Department reserves the right to communicate and/or schedule interviews/presentations with Bidders if needed to obtain clarification of information contained in the proposals received, and the Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. Interviews/presentations are not required, and changes to proposals will not be permitted during any interview/presentation process. Therefore, Bidders should submit proposals that present their costs and other requested information as clearly and completely as possible.

B. Scoring Weights and Process

1. **Scoring Weights:** The score will be based on a 100 point scale and will measure the degree to which each proposal meets the following criteria.

Section I. Organization Qualifications and Experience (25 points)

Includes all elements addressed above in Part IV, Section I.

Section II. Specifications of Work to be Performed (35 points)

Includes all elements addressed above in Part IV, Section II and work plan/timeline, and attached organizational chart and resumes.

Section III. Cost Proposal (30 points)

Includes all elements addressed above in Part IV, Section III.

Twenty-Five (25) Points for Cost Proposal

Five (5) Points for Budget Narrative

Section IV. Economic Impact within the State of Maine (10 points)

Includes all elements addressed above in Part IV, Section IV. Economic Impact will be evaluated as follows:

- i. Five (5) Points for past Economic Impact
- ii. Five (5) Points for Projected Economic Impact (future 12-month period following contract award).

2. **Scoring Process:** The review team will use a consensus approach to evaluate the bids. Members of the review team will not score the proposals individually but instead will arrive at a consensus as to assignment of points on each category of each proposal. The contract award(s) will be made to the Bidder(s) receiving the highest number of evaluation points, based upon the proposals' satisfaction of the criteria established in the RFP. The Cost and Economic Impact sections will be scored according to a mathematical formulas described below.

- 3. Scoring the Cost Proposal:** The total cost proposed for conducting all the functions specified in this RFP will be assigned a score according to a mathematical formula. The lowest bid will be awarded 25 points. Proposals with higher bids values will be awarded proportionately fewer points calculated in comparison with the lowest bid.

The scoring formula is:

$(\text{Lowest submitted cost proposal} / \text{Cost of proposal being scored}) \times 25 = \text{pro-rated score}$

The remaining 5 points allocated to the Cost Proposal will be used to evaluate the responsiveness of the narrative material and supporting documentation contained with this section including: accuracy and reasonableness (assumptions used in calculating the costs), budget and financial stability.

No Best and Final Offers: The State of Maine will not seek a best and final offer (BAFO) from any Bidder in this procurement process. All Bidders are expected to provide their best value pricing with the submission of their proposal.

- 4. Scoring the Economic Impact:** The Economic Impact for this RFP will be assigned a score according to a mathematical formula.

Recent Economic Impact: The highest recent economic impact will be awarded 5 points. Proposals with lower recent economic impact will be awarded proportionately fewer points calculated in comparison with the highest impact.

The Recent Economic Impact scoring formula is:

$(\text{Recent Economic Impact proposal being scored} / \text{Highest submitted recent Economic Impact proposal}) \times 5 = \text{pro-rated score}$

Projected Economic Impact: The highest projected economic impact will be awarded 5 points. Proposals with lower projected economic impact will be awarded proportionately fewer points calculated in comparison with the highest projected economic impact.

The Projected Economic Impact scoring formula is:

$(\text{Projected Economic Impact proposal being scored} / \text{Highest submitted projected Economic Impact proposal}) \times 5 = \text{pro-rated score}$

**Projected Economic Impact is to be based solely on the resulting contract should the Bidder be awarded the contract for these services.*

Please note: If the State determines that the Bidder's recent and/or projected economic impact information is deemed to be substantially inaccurate, then the State may not award any points for economic impact to that Bidder for the applicable section(s).

- 5. Negotiations:** The Department reserves the right to negotiate with the successful Bidder to finalize a contract at the same rate or cost of service as presented in the selected proposal. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department's Request for Proposals to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with a selected respondent who submits a proposed

contract significantly different from the proposal they submitted in response to the advertised RFP. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

C. Selection and Award

1. The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Purchases Review Committee.
2. Notification of contractor selection or non-selection will be made in writing by the Department.
3. Issuance of this RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to this request, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the Bidder.
4. The Department reserves the right to reject any and all proposals or to make multiple awards.

D. Appeal of Contract Awards

Any person aggrieved by the award decision that results from this RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 MRSA § 1825-E and 18-554 Code of Maine Rules, Chapter 120 (found here: <http://www.maine.gov/purchases/policies/120.shtml>). The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine, 04333-0009 within 15 calendar days of receipt of notification of contract award.

PART VI CONTRACT ADMINISTRATION AND CONDITIONS

A. Contract Document

1. The successful Bidder will be required to execute a contract in the form of a State of Maine Agreement to Purchase Services (BP54-IT). A list of applicable Riders is as follows:

Rider A: Specification of Work to be Performed

Rider B-IT: Method of Payment and Other Provisions

Rider C: Exceptions to Rider B

Rider D: Additional Requirements

Rider F: Budget

Rider G: Identification of Country in Which Contracted Work Will Be Performed

Attachment A: Business Associate Agreement

The complete set of standard BP54 contract documents may be found on the Division of Purchases website at the following link: http://www.maine.gov/purchases/info/forms/BP54_IT.doc

Other forms and contract documents commonly used by the State can be found on the Division of Purchases website at the following link: <http://www.maine.gov/purchases/info/forms.shtml>

2. Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Purchases Review Committee. Contracts are not considered fully executed and valid until approved by the State Purchases Review Committee and funds are encumbered. No contract will be approved based on an RFP which has an effective date less than fourteen (14) calendar days after award notification to Bidders. (Referenced in the regulations of the Department of Administrative and Financial Services, Chapter 110, § 3(B)(i): <http://www.maine.gov/purchases/policies/110.shtml>

This provision means that a contract cannot be effective until at least 14 days after award notification.

3. The Department estimates having a contract in place by December 1, 2015. The State recognizes, however, that the actual contract effective date depends upon completion of the RFP process, date of formal award notification, length of contract negotiation, and preparation and approval by the State Purchases Review Committee. Any appeals to the Department's award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date may need to be adjusted, if necessary, to comply with mandated requirements.
4. In providing services and performing under the contract, the successful Bidder shall act independently and not as an agent of the State of Maine. The contractor shall furnish all necessary labor, materials, equipment, qualified personnel, facilities and services, as needed to perform and provide the services described.

B. Standard State Agreement Provisions

1. Agreement Administration
 - a. Following the award, an Agreement Administrator from the Department will be appointed to assist with the development and administration of the contract and to act as administrator during the entire contract period. Department staff will be available after the award to consult with the successful Bidder in the finalization of the contract.

- b. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.
- c. The Department will designate a primary liaison, which will provide data and information to the contractor as necessary. The Department shall assure its best efforts to provide reasonable and timely resolution of questions of policy or procedure as they affect the execution of the contract.
- d. Program Administration
Following the award, a Department representative will be designated as the Program Administrator for the awarded contract and shall be responsible for oversight of the programmatic aspects of the awarded contract. The Program Administrator will work closely with the Agreement Administrator and the awarded Bidder in developing the final contract, and subsequently, in monitoring the achievement of objectives as set forth in this Request for Proposals.

2. Payments and Other Provisions

The State anticipates paying the Contractor on the basis of net 30 payment terms, upon the receipt of an accurate and acceptable invoice. An invoice will be considered accurate and acceptable if it contains a reference to the State of Maine contract number, contains correct pricing information relative to the contract, and provides any required supporting documents, as applicable, and any other specific and agreed-upon requirements listed within the contract that results from this RFP.

PART VII LIST OF RFP APPENDICES AND RELATED DOCUMENTS

1. Appendix A – State of Maine Proposal Cover Page
2. Appendix B – Cost Proposal Form
3. Appendix C – Economic Impact
4. Appendix D – Patient Threshold Report
5. <http://www.maine.gov/dhhs/samhs/osa/data/pmp/index.htm>
6. <http://www.mainelegislature.org/legis/Statutes/22/title22ch1603sec0.html>
7. <http://www.maine.gov/sos/cec/rules/14/118/118c011.doc>
8. <http://www.deadiversion.usdoj.gov/21cfr/21usc/>
9. <http://www.mainelegislature.org/ros/LOM/LOM121st/10Pub451-500/Pub451-500-134.htm>
10. <http://www.mainelegislature.org/legis/Statutes/22/title22sec7248.html>
11. <http://www.mainelegislature.org/LawMakerWeb/summary.asp?ID=280055907>
12. <http://www.maine.gov/oit/policies/index.shtml>
13. <http://www.hhs.gov/ocr/privacy/hipaa/understanding/summary/index.html>
14. <http://www.maine.gov/dhhs/oms/HIT/hie.htm>
15. www.asapnet.org
16. <http://www.mainelegislature.org/legis/statutes/22/title22sec7246.html>
17. <http://www.mainelegislature.org/legis/statutes/22/title22sec7250.html>
18. <http://www.pdmpassist.org/content/prescription-drug-monitoring-information-architecture-pmix>
19. http://www.pdmpassist.org/pdf/Standardized_Reports_LE_Boards_TAG_FINAL_20140626.pdf
20. http://www.orpdmp.com/orpdmpfiles/PDF_Files/Reports/Jan%20-%20March%202015%20Quarterly%20Report.pdf

PART VIII APPENDICES
Appendix A

State of Maine
Department of Health and Human Services
PROPOSAL COVER PAGE

RFP#201508144
PRESCRIPTION MONITORING PROGRAM

Bidder's Organization Name:		
Chief Executive - Name/Title:		
Tel:	Fax:	E-mail:
Headquarters Street Address:		
Headquarters City/State/Zip:		
<i>(provide information requested below if different from above)</i>		
Lead Point of Contact for Proposal - Name/Title:		
Tel:	Fax:	E-mail:
Street Address:		
City/State/Zip:		

Proposed Cost:	
<i>The proposed cost listed above is for reference purposes only, not evaluation purposes. In the event that the cost noted above does not match the Bidder's detailed cost proposal documents, then the information on the cost proposal documents will take precedence.</i>	

- This proposal and the pricing structure contained herein will remain firm for a period of 180 days from the date and time of the bid opening.
- No personnel currently employed by the Department or any other State agency participated, either directly or indirectly, in any activities relating to the preparation of the Bidder's proposal.
- No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a proposal.
- The undersigned is authorized to enter into contractual obligations on behalf of the above-named organization.

Debarment, Performance, and Non-Collusion Certification

By signing this document I certify to the best of my knowledge and belief that the aforementioned organization, its principals, and any subcontractors named in this proposal:

- a. Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.*
- b. Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:*
 - i. fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.*
 - ii. violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;*
 - iii. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and*
 - iv. have not within a three (3) year period preceding this proposal had one or more federal, state or local government transactions terminated for cause or default.*
- c. Have not entered into a prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same materials, supplies, equipment, or services and this proposal is in all respects fair and without collusion or fraud. The above mentioned entities understand and agree that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.*

Failure to provide this certification may result in the disqualification of the Bidder's proposal, at the discretion of the Department.

To the best of my knowledge all information provided in the enclosed proposal, both programmatic and financial, is complete and accurate at the time of submission.

Name:	Title:
Authorized Signature:	Date:

Appendix B

State of Maine Department of Health and Human Services COST PROPOSAL FORM

RFP#201508144 **PRESCRIPTION MONITORING PROGRAM**

Bidder's Organization Name: _____

Bidders are to complete and submit budget forms that provide a detailed breakdown of expenses projected to be needed to perform the services described in this RFP and in the Bidder's proposal. General instructions for these budget forms can be found at the following website in the section titled "**Rider F Budget Forms**", in the **Cost Settled** Agreements column (Budget Form-Cost Settled). <http://www.maine.gov/dhhs/contracts/contract-2016/index.html>

Please detail Maintenance and Operations in one column (where "Program" is listed) and Start up (Development and Implementation) in a second column in Budget Forms 1 and 2.

Bidders can follow the instructions that apply to the forms with the following exceptions:

Enter the Bidder's name in the AGENCY NAME line.

Enter the RFP # in the DHHS AGREEMENT# line.

This only needs to be done on Budget Form 1 and it will populate all other budget pages.

Budget Form 1, Revenue Summary - The cost that the Bidder proposes in response to this RFP can be listed under Revenue Sources and identified as *RFP Projected Agreement Funds (RFP bid)*. **This amount will also be included as the Proposed Cost included on the Proposal Cover Page (Appendix A).**

Budget Form 2A only needs to be completed if it is applicable.

Rider F-1 ASF and Rider F-2 Agreement Compliance do not need to be completed.

**State of Maine
Department of Health and Human Services
ECONOMIC IMPACT FORM**

**RFP#201508144
PRESCRIPTION MONITORING PROGRAM**

Instructions

In addition to all other information requested within this RFP, each Bidder should complete the tables below to quantify the Bidder's economic impact upon and within the State of Maine. The use of economic impact in making contract award decisions is outlined in Executive Order 2012-004, which states that certain contracts "...advertised for competitive bid shall include scoring criteria evaluating the responding Bidder's economic impact on the Maine economy and State revenues."

For the purposes of this RFP, the term "economic impact" shall be defined as the "Economic Impact Factors" listed in the table below. To complete the "economic impact" section of the Bidder's response, the Bidder shall provide the information requested, describing the Bidder's recent economic impact with the State of Maine and, separately, the projected economic impact with the State of Maine that would specifically result from the awarded contract, should the Bidder be selected.

Recent Economic Impact (past 12-month period)

Economic Impact Factors	Factors Expressed in Dollars
Salaries paid to Maine residents in past 12-month period	\$
Payments made to Maine-based subcontractors in past 12-month period	\$
Payments of State and local taxes in Maine within past 12-month period	\$
Payments of State licensing fees in Maine within past 12-month period	\$
Total for Recent Economic Impact	\$

Projected Economic Impact (future 12-month period following contract award)

Economic Impact Factors	Factors Expressed in Dollars
Salaries to be paid to Maine residents in future 12-month period	\$
Payments to be made to Maine-based subcontractors in future 12-month period	\$
Payments of State and local taxes in Maine to be made in future 12-month period	\$
Payments of State licensing fees in Maine to be made in future 12-month period	\$
Total for Projected Economic Impact from awarded contract, if selected	\$

For the tables above, the following definitions are provided:

- "Maine resident": any person whose primary residence is located within the State of Maine.
- "Maine-based": any organization whose primary operations are located within the State of Maine.
- "Past 12-month period": the past 12-months, starting on the date that the RFP was publicly released.
- "Future 12-month period": a projection for the future 12-month period, starting upon the "Estimated Contract Start Date" (PART III, A. of RFP).

Certification Statement

To the best of my knowledge, all information provided in the State of Maine Economic Impact Form is complete and accurate at the time of submission and I confirm that I am authorized to make such a determination on behalf of my organization.

Name:	Title:
Authorized Signature:	Date:

Appendix D: Sample Reports

Patient Threshold Report

This window displays information about recipients who meet or exceed the threshold levels supplied in the **Recipient Visiting X Pharmacy/Y Physicians** report

Create Query	Open Existing Query	Reports	Bookmark	Education Letters
Letters - Recipient				
Click here to return to the recipient letter selection index.				
Sequence Number: 2				
More Results				
ID	PHM/PHY Name	Prescription Count	Total Prescriptions	Letter History
05/02/62 - Add notes Select All				
PHY				
<input type="checkbox"/>		1	8	Seq No: 2 Description: 0608_0708_phypharm Alert Date 02/20/09 Dates: 06/01/08 - 07/31/08
<input type="checkbox"/>		1	8	
<input type="checkbox"/>		1	8	
<input type="checkbox"/>	CENTER	1	8	
<input type="checkbox"/>		1	8	

This window displays information about recipients who meet or exceed the threshold levels supplied in the **Buprenorphine and Narcotics Concurrent Usage** report

Letters - Recipient

Click [here](#) to return to the recipient letter selection index.

Sequence Number: 50

[More Results](#)

ID	PHM/PHY Name	Prescription Count	Total Prescriptions	Letter History
00024468 LAURIE [REDACTED] - Add notes Select All				
PHY				
<input type="checkbox"/>	[REDACTED]	1	1	Seq No: 46 Description: BN May 2012 Alert Date 05/09/12 Dates: 04/01/12 - 04/30/12 Seq No: 22 Description: BN September 2011 Alert Date 09/08/11 Dates: 08/01/11 - 08/31/11
00025840 SHELLEY [REDACTED] - Add notes Select All				
PHY				
<input type="checkbox"/>	[REDACTED]	2	3	
<input type="checkbox"/>	[REDACTED]	1	3	Seq No: 46 Description: BN May 2012 Alert Date 05/09/12 Dates: 04/01/12 - 04/30/12

This window displays information about recipients who meet or exceed the threshold levels supplied in the **Acetaminophen Threshold** report

Letters - Recipient

Click [here](#) to return to the recipient letter selection index.

Sequence Number: 48

[More Results](#)

ID	PHM/PHY Name	Prescription Count	Total Prescriptions	Letter History
[REDACTED]		- Add notes		<button>Select All</button>
PHY				
[REDACTED]	[REDACTED]	1	5	
		4	5	
		<button>Add</button>	<button>Delete</button>	
[REDACTED]		- Add notes		<button>Select All</button>
PHY				
[REDACTED]	[REDACTED]	1	2	
		1	2	
		<button>Add</button>	<button>Delete</button>	